

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RASHEED AL RUSHAID,
AL RUSHAID PETROLEUM
INVESTMENT CORPORATION,
And AL RUSHAID PARKER
DRILLING LTD.,

CIVIL ACTION NO:

JUDGE

MAGISTRATE JUDGE

VERSUS

NATIONAL OILWELL VARCO,
INC., NATIONAL OILWELL
VARCO, LP, NOW OILFIELD
SERVICES, LLC, NATIONAL
OILWELL VARCO NORWAY, AS,
GRANT PRIDECO, LP, and GRANT
PRIDECO HOLDING, LLC

NOTICE OF REMOVAL

National Oilwell Varco, Inc., National Oilwell Varco, LP, NOW Oilfield Services, LLC, Grant Prideco, LP, and Grant Prideco Holding, LLC (collectively “Removing Defendants”) represent that:

1. State Proceeding: On or about June 17, 2011, Al Rushaid Parker Drilling, Ltd., a Foreign Limited Partnership (“Plaintiff”), filed an Original Petition against National Oilwell Varco, Inc., in the 165th Judicial District Court, Harris County, State of Texas, bearing docket number 2011-36318 (“State Proceeding”). The Clerk of Court records indicate that service of process of the Original Petition was made on July 18, 2011.

On or about August 5, 2011, Al Rushaid Parker Drilling, Ltd., Rasheed Al Rushaid, and Al Rushaid Petroleum Investment Corporation filed an Amended Original Petition against

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National Oilwell Varco, Inc., National Oilwell Varco, LP, NOW Oilfield Services, LLC, National Oilwell Varco Norway, AS, Grant Prideco, LP, and Grant Prideco Holding, LLC. The Clerk of Court records indicate that service of process of the Amended Original Petition was made on August 17, 2011 on National Oilwell Varco, LP, NOW Oilfield Services, LLC, Grant Prideco, LP, and Grant Prideco Holding, LLC.

2. Parties: The plaintiffs are Al Rushaid Parker Drilling, Ltd., Rasheed Al Rushaid, and Al Rushaid Petroleum Investment Corporation. The named defendants are National Oilwell Varco, Inc., National Oilwell Varco, LP, NOW Oilfield Services, LLC, National Oilwell Varco Norway, AS, Grant Prideco, LP, and Grant Prideco Holding, LLC. National Oilwell Varco Norway, AS, is named as a defendant in this matter but the court record does not indicate that it was served with process.

3. Jurisdiction: This court has jurisdiction pursuant to 9 U.S.C. § 203 and 28 U.S.C. § 1331 because the plaintiffs have asserted claims arising out of several contracts that contain arbitration clauses. These arbitration clauses bring the dispute within the scope of the Federal Arbitration Act. This action is removed on that basis.

The original petition and the amended petition allege that several contracts of sale were entered into between one of the plaintiffs (Al Rushaid Parker Drilling, Ltd., hereinafter sometimes identified as “ARPD”) and one or more of the defendants. To date, National Oilwell Varco, LP has located contracts of sale in which it sold oilfield equipment to ARPD. Each of these contracts consists of a Quote issued by National Oilwell Varco, LP offering to sell certain goods and services and a Purchase Order issued by ARPD accepting the Quote. See Exhibit A.

Exhibit A contains a four -page document entitled "National Oilwell Varco Worldwide Terms and Conditions To Sale" ("Terms and Conditions"). These Terms and Conditions were included as part of the Quote offered by NOV and, therefore, comprise part of the contract formed when ARPD accepted the Quote via the issued Purchase Order. On the third page of the Terms and Conditions, Paragraph 13(B) provides that NOV retains the right to arbitrate any dispute in connection with these sales. This arbitration clause, in consideration of the fact that the sale was between a citizen of a foreign state and a citizen of the United States, triggers the applicability of the Federal Arbitration Act, Title 9 of the United States Code, 9 U.S.C. § 1, *et seq.* Under these circumstances, Title 9 – specifically, the Convention on the Recognition and Enforcement of Foreign Arbitral Awards – entitles the Removing Defendants to remove this matter at this time. 9 U.S.C. § 205.

4. Removal: Pursuant to 9 U.S.C. § 205 and 28 U.S.C. § 1441 *et seq.*, the Removing Defendants file this notice of removal.

5. Notice: Pursuant to 28 U.S.C. § 1446(d), upon filing of this notice of removal, written notice of the filing of the removal is being given to counsel for Plaintiff and the Clerk of Court, 165th Judicial District Court, Harris County, Texas. A copy of the notice is attached.

7. Pleadings from State Proceeding: Pursuant to 28 U.S.C. §1446(a) copies of all process, pleadings and orders served upon the Removing Defendants are submitted into the record of even date herewith.

The Removing Defendants request that:

1. This action will be removed from the 165th Judicial District Court, Harris County, State of Texas, to the United States District Court for the Southern District of Texas, Houston Division.

2. This Court enter such orders as are appropriate; and

3. The Removing Defendants have such further relief, at law or in equity, as this Court may deem just and proper.

Respectfully submitted:

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I certify that a copy of the foregoing was mailed to:

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Attorney for Plaintiffs

on this, the 16th day of September, 2011.

/S/ Gary J. Russo

Gary J. Russo